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THE DISTRICT COURT OF GUAM

| UNITED STATES OF AMERICA, Plaintiff, |) CRIMINAL CASE NO.: 20-00021-001 |
|---------------------------------------|---|
| vs. |) DECLARATION IN SUPPORT) OF PETITION |
| RICKY JAMES JR. SALAS SANTOS, |)) |
| Defendant. |)) |

I, U.S. Probation Officer Trina P. Duenas, am assigned to supervise the Court ordered conditions of pretrial release for Ricky James Jr. Salas Santos, and in this capacity, I declare as follows:

On August 27, 2020, a Complaint was filed under case number MJ20-00092, which charged the defendant, Ricky James Jr. Salas Santos, with Attempted Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)(viii). On the same date, he was brought before the court for an Initial Appearance on a Complaint. He was detained and hearings were set for a Preliminary Examination and a Detention Hearing.

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On September 9, 2020, an Indictment was filed in which the Grand Jury charged

the defendant with Attempted Possession with Intent to Distribute Methamphetamine

Hydrocholoride, in violation of 21 U.S.C. §§ 846 & 841(a)(1) & (b)(1)(A)(viii); and

Possession with Intent to Distribute Methamphetamine Hydrocholoride in violation of 21

U.S.C. §§ 841(a)(1) & (b)(1)(A)(viii); along with a Notice of Forfeiture.

On September 10, 2020, Mr. Santos was brought before the Court for an Initial

Appearance on an Indictment and Arraignment. He entered a plea of not guilty and his

detention was continued.

On October 29, 2020, Mr. Santos appeared in court for a Detention Hearing.

Magistrate Judge Michael J. Bordallo released the defendant and imposed pretrial

supervision with conditions.

On December 1, 2020, a Petition for Action on Conditions of Pretrial Release was

filed after Mr. Santos failed to report for drug testing and failed to provide a valid sample

for testing. On December 8, 2020, an Initial Appearance on the Petition was held. The

defendant's release was continued and a hearing was scheduled for December 17, 2020.

On December 15, 2020, a Supplemental Declaration was filed after the defendant tested

positive for methamphetamine. On December 17, 2020, the defendant appeared in court

and admitted to the violations. His conditions were modified and his release was

continued. A Jury Trial is currently scheduled for February 17, 2021.

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The defendant is alleged to have committed the following in violation of 18 U.S.C.

§ 3142:

Special Condition: Submit to testing for a prohibited substance if required by the pretrial

services office or supervising officer. Testing may be used with random frequency and

may include urine testing, the wearing of a sweat patch, a remote alcohol testing system,

and/or any form of prohibited substance screening or testing. The defendant must not

obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited

substance screening or testing.

Special Condition: Not use or unlawfully possess a narcotic drug or other controlled

substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical

practitioner.

On December 18, 2020, Mr. Santos was scheduled for a drug test. He failed to

report for testing. This Officer contacted him and instructed him to report for testing the

following day. The defendant's Third-Party Custodians (TPCs) were also informed of the

missed drug test.

On December 19, 2020, Mr. Santos reported for drug testing. He submitted a

sample which tested presumptive positive for methamphetamine. He admitted in writing

to the use of methamphetamine on December 15, 2020. The defendant's TPCs were

informed of the positive drug test.

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Supervision Compliance: A criminal records check was conducted and found no new

arrests or pending criminal action. Mr. Santos had a landline installed and has been

placed on location monitoring. He also has a scheduled appointment for a substance

abuse assessment on December 22, 2020.

Recommendation: This Probation Officer respectfully requests the Court issue a

Summons for Ricky James Jr. Salas Santos to appear at a hearing to determine if his bail

should be revoked or modified, pursuant to 18 U.S.C. § 3148.

I declare, under penalty of perjury, that the foregoing is true and correct, except

those matters stated upon information and belief, and as to those matters, I believe them

to be true.

Executed this 21st day of December 2020, at Hagatna, Guam, in conformance with

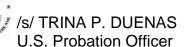
the provisions of 28 U.S.C. § 1746.

Respectfully submitted,

KIM R. WALMSLEY

Chief U.S. Probation Officer

By:



Reviewed by:

